

REMARKS

The applicants respectfully submit that entry of the amendments is proper. The amendments raise no new issues requiring further search or consideration. Also, the applicants respectfully submit that the amendments put the claims in condition for allowance. Accordingly, the applicants respectfully request entry of the amendments.

The applicants originally submitted claims 1-9 in this application. In a previous response to a previous Office Action, the applicants amended claims 1, 4, 5 and 7. In this response to the current Office Action, the applicants have amended claims 1 and 2, canceled claim 9 and added a new claim 10. Accordingly, claims 1-8 and 10 remain pending in this application.

The Examiner rejected claims 1-6 and 8-9 under 35 U.S.C. §103(a) as being unpatentable over Backer et al. (U.S. Patent No. 5,180,411) in view of Tuminaro (U.S. Patent No. 6,496,627). The applicants respectfully traverse the rejection in view of the claim amendments set forth above and the remarks set forth below.

The applicants have amended independent claim 1 in the manner suggested by the Examiner. More specifically, the applicants have amended independent claim 1 to recite that the exposing step exposes the drawn optical fiber to an atmosphere containing deuterium at room temperature in such a way that the fiber is not exposed to deuterium at a temperature that is not room temperature. In view of this claim amendment, the applicants respectfully submit that independent claim 1 is neither anticipated by nor obvious in view of the prior art, including Backer et al. and Tuminaro.

With respect to claim 2, the Examiner indicated that claim 2 is in a format that is inconsistent with any format that is sanctioned by the MPEP or the courts. In response, the applicants have amended claim 2 to recite that the exposing step further comprises exposing the drawn optical fiber to a deuterium atmosphere having a partial pressure of approximately 0.01 atmospheres of deuterium at room temperature for approximately 6 days. Also, the applicants have added a new claim (claim 10), dependent from independent claim 1, that

recites that the exposing step further comprises exposing the drawn optical fiber to a deuterium atmosphere having a partial pressure of approximately 0.05 atmospheres of deuterium at room temperature for approximately 1.5 days. In view of the amendment to claim 2, the applicants respectfully submit that claim 2 no longer is in a format that is inconsistent with any format that is sanctioned by the MPEP or the courts.

With respect to claims 2-6 and 8-9, the applicants respectfully note that claims 2-6 and 8-9 depend directly or indirectly from claim 1 and incorporate all of the subject matter of claim 1. Thus, claims 2-6 and 8-9 are patentably distinct over the cited art for at least all of the reasons discussed above in connection with claim 1. Moreover, claims 2-6 and 8-9 include other features that, when combined with the subject matter of claim 1, are not shown in or suggested by the art of record.

Therefore, the applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §103(a) over Backer et al. in view of Tuminaro.

The Examiner also rejected claims 1 and 7 under 35 U.S.C. §103(a) as being unpatentable over Oyobe et al. (U.S. Patent No. 5,262,365) in view of Tuminaro and Baumgart (U.S. Patent No. 4,820,322). The applicants respectfully traverse the rejection in view of the claim amendments set forth above and the remarks set forth below.

As discussed previously herein, the applicants have amended independent claim 1 in the manner suggested by the Examiner. Accordingly, claim 1, as amended, is neither anticipated by nor obvious in view of the prior art, including Oyobe et al. in view of Tuminaro.

Claim 7, which depends indirectly from claim 1 and incorporates all of the subject matter of claim 1, is patentably distinct over the cited art for at least all of the reasons discussed above in connection with claim 1. Moreover, claim 7 includes other features that, when combined with the subject matter of claim 1, are not shown in or suggested by the art of record.

Accordingly, the applicants respectfully request that the Examiner withdraw the rejection of claims 1 and 7 under 35 U.S.C. §103 over Oyobe et al. in view of Tuminaro and Baumgart.

The applicants submit that all claims now are in patentable form, and respectfully urge that all the claims be allowed and the application be passed to issue. If the Examiner disagrees, the Examiner is invited to call the attorney for the applicants at the telephone number provided below.

Respectfully submitted,

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